

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Kazutaka NAKAMOTO et al.

Application No.: 10/573,890

Confirmation No.: 9930

Filed: March 29, 2006

Art Unit: 1625

For: NOVEL ANTIFUNGAL AGENT
CONTAINING HETEROCYCLIC
COMPOUND

Examiner: Patricia L. Morris

COPENDING APPLICATION LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Madam:

Under the provisions of MPEP § 2001.06(b), the Examiner is hereby advised of the following co-pending U.S. Applications:

<u>Application No.</u>	<u>Filing Date</u>	<u>Group</u>
12/442,293	03-20-2009	1614
12/343,889	12-24-2008	1625
12/109,834	04-25-2008	1625

The subject matter contained in the above-listed co-pending U.S. applications may be deemed to relate to the present application, and thus may be material to the prosecution of this instant application.

Copies of the cited U.S. patent applications (specification, claims, and the drawings) are available on the USPTO's Image File Wrapper. Therefore copies thereof need not be attached.

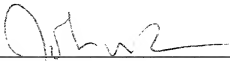
☐ The materials in the envelope are considered trade secrets and are being submitted for consideration under MPEP § 724.

The above-listed co-pending applications are not to be construed as prior art. By bringing the above-listed applications to the attention of the Examiner, Applicants do NOT waive any confidentiality concerning the above-listed co-pending applications or this application. See MPEP § 101. Furthermore, if said applications should not mature into patents, such applications should be preserved in secrecy under the provisions of 35 U.S.C. § 122 and 37 C.F.R. § 1.14.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: JUL 27 2009

Respectfully submitted,

By 

John W. Bailey
Registration No.: 32,881
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road, Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant